



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas J. McMurry et al. Art Unit : 1619
Serial No. : 10/034,522 Examiner : Michael G. Hartley
Filed : December 20, 2001
Title : DIAGNOSTIC IMAGING CONTRAST AGENTS WITH EXTENDED BLOOD
RETENTION

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Commissioner for Patents
Washington, D.C. 20231

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

In response to the personal interview held with the Examiner on November 22, 2002 with respect to the above-referenced case, Applicants herewith submit this Statement of the Substance of the Interview.

Applicants' representatives Teresa A. Lavoie, Ph.D. and Mark S. Ellinger, Ph.D., both of Fish & Richardson, P.C., P.A., and Alan McEwen, Ph.D. of Epix Medical, Inc. attended the interview on November 22, 2002 with Examiner Michael G. Hartley. Applicants' representatives discussed the procedural history of the pending case, the current status of clinical trials directed to a species claimed in the pending case, and the preliminary amendment filed November 1, 2002 in the pending case. Examiner Hartley noted that he had only a brief opportunity to review the preliminary amendment, and with that brief review had seen no obvious 35 U.S.C. § 112 issues. The Examiner indicated that he would consider the amendment more fully when the case was acted on in turn. U.S. Pat. No. 5,094,848 ("Cleavable diphosphate and amidated diphosphate linkers"; Inventor Diana I. Brixner.) was discussed briefly, but the Examiner again noted that he had not specifically looked at the reference with respect to the preliminary amendment.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 17, 2002
Date of Deposit

Lisa Johnson
Signature

Lisa Johnson
Typed or Printed Name of Person Signing Certificate

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Attorney's Docket No.: 13498-005002 / MET-4

In conclusion, Applicants again thank the Examiner for the courtesy of the personal interview. No fees are believed due. Please apply any charges or credits to Deposit Account No. 06-1050.

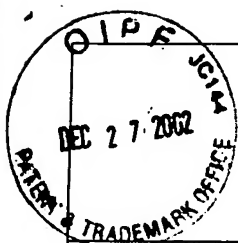
Respectfully submitted,

Date: 12/17/02

Teresa A. Lavoie
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Interview Summary

Application No.	Applicant(s)	
10/034,522	MCMURRY ET AL.	
Examiner	Art Unit	
Michael G. Hartley	1616	

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael G. Hartley.

(3) Mark Ellinger (Appl. repr.).

(2) Teresa Lovoie (Appl. repr.).

(4) Alan McEwen (Appl. repr.).

Date of Interview: 22 November 2002.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

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Claim(s) discussed: 103-136.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

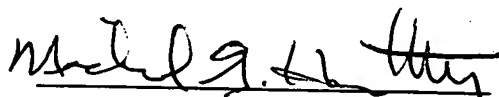
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the preliminary amendment filed 11/01/2002. The examiner will consider the amendment on first action when the case is acted on in turn.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required